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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/026,814	12/27/2001	Daisuke Kitazawa	217663US2	1905
22850	7590	04/08/2004	EXAMINER	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			LE, NHAN T	
			ART UNIT	PAPER NUMBER
			2685	S
DATE MAILED: 04/08/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/026,814	KITAZAWA ET AL.	
	Examiner	Art Unit	
	Nhan T Le	2685	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 27 December 2001.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) 1,2,4-7 and 10,11, 13-16 is/are allowed.
- 6) Claim(s) 3,8,9,12,17 and 18 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____. |

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 3, 8, 9, 12, 17, 18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 3, the required communication quality values are held by the request quality holding part (see page 42, lines 31-33). However, on page 43, lines 19-21, it is recited that the required value is held by the quality measuring and holding part. For that reason, the claim is indefinite. The examiner suggests that recitation "quality measuring and holding part" on page 43, lines 19-20 should be changed to – request quality holding part --.

Claims 8, 9 are rejected as to claim 3.

Regarding claim 12, the required communication quality values are held by Step b (see page 47, lines 6-7). However, line 26, it is recited that the required value is held by step c. For that reason, the claim is indefinite. The examiner suggests that recitation "step c" line 26 should be changed to -- step b -- .

Claims 17, 18 are rejected as to claim 12.

Allowable Subject Matter

Claims 1, 2, 4-7, 10, 11, 13-16 are allowed.

As to claims 1, 10, Natarajan (US 5,826,169) teaches admission control system and method in space-based mobile telecommunication system, Bhatia et al (US 6,014,556) teaches method for priority in terminating call setup, Shin et al (US 5,687,171) teaches device and method for allocating radio channels in a CDMA system, Nagarajan et al (US 5,884,174) teaches call admission control for wireless networks. These teaching of these prior arts either combine or alone fails to teach a request quality holding part which holds only required communication quality values on terminals for each of which connection has been accepted; and determination part obtains an available communication quality value from the required communication quality values of the terminals currently on connection held by the request quality holding part and a maximum permissible communication quality value of the radio communication system.

Dependent claims 4, 5, 13, 14 are allowed for the same reason.

As to claims 2, 11, Natarajan (US 5,826,169) teaches admission control system and method in space-based mobile telecommunication system, Bhatia et al (US 6,014,556) teaches method for priority in terminating call setup, Shin et al (US 5,687,171) teaches device and method for allocating radio channels in a CDMA system, Nagarajan et al (US 5,884,174) teaches call admission control for wireless networks. These teaching of these prior arts either combine or alone fails to teach a quality measuring and holding part which obtains a communication quality type of the required communication quality of the new terminal received by the receiving part, measures the communication quality values on the terminals currently on connection for the thus-

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obtained communication quality type, and holds the measurement values; and a determination part calculates an available communication quality value from the measurement values of the communication quality type held by the quality measuring and holding part and a maximum permissible communication quality value of the radio communication system.

Dependent claims 6, 7, 15, 16 are allowed for the same reason.

Claims 3, 8, 9, 12, 17, 18 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action.

As to claims 3, 12, Natarajan (US 5,826,169) teaches admission control system and method in space-based mobile telecommunication system, Bhatia et al (US 6,014,556) teaches method for priority in terminating call setup, Shin et al (US 5,687,171) teaches device and method for allocating radio channels in a CDMA system, Nagarajan et al (US 5,884,174) teaches call admission control for wireless networks. These teaching of these prior arts either combine or alone fails to teach a request quality holding part which holds only required communication quality values on terminals for each of which connection has been accepted; and a quality measuring and holding part which obtains a communication quality type of the required communication quality of the new terminal received by said receiving part, measures the communication quality values on the terminals currently on connection for the thus-obtained communication quality type, and holds the measurement values; determination part calculates an available communication quality value from the required

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communication quality values of the terminals currently on connection for the terminal for each of which the measurement value is more or less superior than the required value held by the request quality holding part, and a maximum permissible communication quality value of said radio communication system.

Dependent claims 8, 9, 17, 18 would be allowed for the same reason.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nhan T Le whose telephone number is 703-305-4538. The examiner can normally be reached on 08:00-05:00 (Mon-Fri).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban can be reached on 703-305-4385. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nhan Le

Nguyen Vo
4-2-2004

NGUYEN T. VO
PRIMARY EXAMINER